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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

) Date: December 21, 2004

Thomas J. Foth

) Attorney Docket No.: E-978

Serial No.: 09/474,642

) Customer No.: 00919

Filed: December 29, 1999

) Group Art Unit: 3629

Confirmation No.: 2513

) Examiner: Richard Sukyoon Woo

Title:

METHOD AND APPARATUS FOR PROVIDING REFUNDS FOR A

POSTAGE METERING SYSTEM

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated September 21, 2004 finally rejecting claims 1, 3, 6, 7, 9-17, 19 and 20.

Pursuant to 37 CFR 1.17(b), the fee for filing the Notice of Appeal is \$500.00. No additional extension of time is required to file the Notice of Appeal.

The total fee due is:

Notice of Appeal Fee:

\$500.00

Total Fee Due:

\$500

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Please charge Deposit Account No.: **16-1885** in the amount of \$500 to cover the above fees.

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account No. 16-1885.

A duplicate copy of this transmittal is enclosed for use in charging the Deposit Account.

Respectfully submitted,

Steven J. Spapiro Reg. No. 35,677 Attorney of Record

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

on <u>December 21, 2004</u> Date of Deposit

Steven J. Shapiro Name of Registered Rep.

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December 21, 2004 Date

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